



*Paul D. Petrus Jr.*

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I will construe this application as a motion to reconsider. The motion to reconsider is granted. Upon reconsideration, Defendant's sentence is reduced to 12 months and 1 day.

SO ORDERED.

April 30, 2024

*Cathy Seibel*  
CATHY SEIBEL, U.S.D.J.

4/30/24

United States District Court  
Southern District of New York  
300 Quarropas Street, Courtroom 621  
White Plains, NY 10601  
Attn: The Honorable Cathy Seibel

**RE: Application to Modify Sentence as a Zero Point Offender  
Norma Melara 7:23-CR-104-001**

Dear Judge Seibel:

On March 5, 2024, my office filed a motion for a sentence reduction pursuant to 18 U.S.C. § 3582 (c)(2). On March 15, 2024, without objection from the United States Attorney's Office the Court granted the application, and reduced the judgement from 14 months to 12 months, the maximum reduction allowed. My motion did not ask for 12 months; it asked for a resentencing as a zero point offender. Subsequent to this, on April 19, 2024 and thereafter, I heard from Ms. Melara that if she is not sentenced to 12 months and 1 day she will lose some credit towards service of her sentence and her release to a halfway house in advance of completion of her sentence could be sooner than the present date. While the Court has reduced her sentence from 14 months to 12 months, I ask the Court to kindly modify the judgment for Ms. Melara to 12 months and one day. *This application is without objection from the United States Attorney's Office.*

I note that U.S.C. § 3582 (c)(2) governs the modification of this sentence. My office has reviewed the statutory authority and found that it does not address the issue of modification of a sentence to *increase* the time of incarceration. Further, the original judgement itself in this case has yet to be amended. As such, I believe that the Court still holds jurisdiction of this matter, and it is within the Court's authority to modify the sentence as requested.



*Paul D. Petrus Jr.*

Attorney at Law & Associates, P.C.

Thank you.

Yours,

A handwritten signature in black ink, appearing to read "Paul D. Petrus Jr." It consists of a stylized 'P' and 'D' followed by 'Petrus Jr.'

Paul D. Petrus Jr.

Cc: United States Attorney's Office  
300 Quarropas Street  
White Plains, NY 10601  
Attn: AUSA Kevin Sullivan  
Via ECF